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SOWELL GRAY STEPP & LAFFITTE, LLC
ATTORNEYS AND COUNSELORS AT LAW

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VIA HAND DELIVERY

David J. Black, Esquire
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Nexsen Pruet, LLC
1441 Main Street, Suite 1500
Columbia, SC 29202-2426

Re: South Carolina Electric & Gas Co. v. Aiken Electric Cooperative, Inc.
Docket Nos.: 2005-180-E
SGSL No.: 5793/1501

Dear Counsel:

Enclosed herewith and served upon you please find Plaintiff's First Set of Interrogatories to Aiken Electric Cooperative, Inc. and Plaintiff's First Set of Requests for Production to Defendant Aiken Electric Cooperative, Inc.

By copy of this letter I am serving all parties with the same.

Thank you for your assistance in this matter.

Sincerely,

Robert E. Tyson, Jr.

Robert E. Tyson, Jr.
rtyson@sowell.com
DD 803.231.7838

RETjr:alw
Enclosure

cc: (w/enclos.)

Charles Terreni ✓

C. Dukes Scott, Executive Director South Carolina Office of Regulatory Staff

Shannon Bowyer, Hudson, Esquire

Wendy B. Cartledge, Esquire

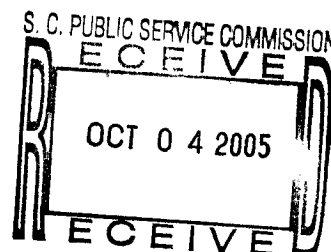
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BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NOS.: 2005-180-E

South Carolina Electric and Gas Co.))	
)	
Complainant,))	
)	
vs.))	SOUTH CAROLINA ELECTRIC &
)	GAS COMPANY'S FIRST SET OF
Aiken Electric Cooperative, Inc.))	INTERROGATORIES TO AIKEN
)	ELECTRIC COOPERATIVE, INC.
)	
Defendant.))	
)	

Plaintiff South Carolina Electric and Gas Co. ("SCE&G") herewith serves upon and requests that the Defendant Aiken Electric Cooperative, Inc. ("Aiken"), respond to the following First Set of Interrogatories under oath, pursuant to R. 103-851 of the South Carolina Public Service Commission's Rules of Practice and Procedure, and that responses be served upon the undersigned attorneys for SCE&G within thirty (30) days from the date of service.

DEFINITIONS

As used in these interrogatories and accompanying request for production, the following definitions apply:

- A. **"Aiken"** means defendant Aiken Electric Cooperative and its officers, agents (including attorneys), and employees acting in the scope of employment.
- B. A **"person"** is one or more than one individual, corporation, partnership, unincorporated association, governmental unit, department, division, or other entity.

- C. A **“record”** is any written, recorded, or graphic matter, however produced or reproduced, including documents, drafts, notebooks, reports, statements, records, lists, memoranda, diagrams, sketches, charts, correspondence, telegrams, schedules, photographs, sound recordings, films, e-mails, notes, memos, electromagnetic media (including hard disc, floppy disc, compact disc, DVD, zip drive, tape, e-mail storage medium, or other material of whatsoever nature), or other medium of any nature upon which, by which, or through which information is stored, regardless of form, format, medium, or means, and any other documents, writings, or tangible objects of any kind whatsoever, irrespective of the form
- D. A **“custodian”** is a **person** having care, custody, and control of records.
- E. A **“customer”** is a member of Aiken Electric Cooperative or any other person receiving or entitled to receive electric service, or purchasing or entitled to purchase electricity, from Aiken or carried on Aiken’s books as such.
- F. **“Electric equipment”** includes poles, lines, transformers, meters, and any other equipment used in the distribution of electricity.
- G. **“Columbia Farms”** is the entity receiving or to receive electric service on the tract of land referred to in the Complaint. Columbia Farms also includes House of Raeford.
- H. To **“identify”** means:
- (1) With respect to a **person**:
 - (a) to provide the **person’s** name, residence address or principal business address, and telephone number; and
 - (b) if the **person** is an individual, to **identify** the individual’s employer, and to provide the individual’s job title.
 - (2) With respect to a **record**, to provide the following information:
 - (a) a description of the **record**, including the location of the **record** and the **identity** of its **custodian**; and
 - (b) the date on which the **record** was first created, and
 - (c) the **identity** of the **person** who first created the **record**, and
 - (d) the dates, if any, on which the **record** was changed or modified, and

- (e) the *identity* of the *person* who changed or modified the record.
 - (3) With respect to a tangible thing other than a *record*, to describe it in sufficient detail to permit the reader to understand what it is and where it is located, including the *identity* of its *custodian* if applicable.
- I. To “*identify electric service*” means to provide the following information:
- (a) the service address; and
 - (b) the date on which the distribution line was first installed, and the date and nature of any change in the distribution line since first installed; and
 - (b) the date the meter was first installed and the date service was activated; and
 - (c) the general location of the meter in relation to the boundaries of the property tract; and
 - (d) the *identity* of each past or present customer at the location and the time period during which each customer was listed on Aiken’s records at that location; and
 - (e) the dates when any service was discontinued, or the meter was removed, or the line was removed.
- J. “*The Property*” means the tract of land identified in the Complaint upon which Columbia Farms intends to construct a facility.

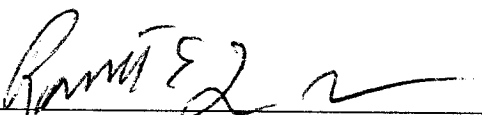
INTERROGATORIES

1. Identify all communications between Aiken and Columbia Farms regarding:
- a. The provision of electrical service by Aiken to the Property;
 - b. The building and/or site plans for the facility to be constructed on the Property;
 - c. The election by Columbia Farms of Aiken as the electric service provider.

2. Identify all site plans, construction plans or drawings, sketches, etc. that show the layout of the facility to be constructed on the Property as the layout was initially proposed and identify all subsequent modifications to that initial layout.
3. Identify all communications between Aiken and SCE&G regarding Aiken's intent to construct a line in SCE&G's assigned territory to the Property.
4. Identify all communications between Aiken and the PSC regarding Aiken's intent to build lines in SCE&G's assigned territory to the Property.
5. Identify all communications between Aiken and the PSC regarding Aiken's request for approval by the PSC for Aiken to construct a line through SCE&G's assigned territory to the Property.
6. Identify all documents and other records showing the history of any line creating any corridor rights from which Aiken contends it is entitled to serve the Property, as stated in the Answer. Identify that line's technical specifications as constructed and as modified over time.
7. Identify all internal Aiken documents and other records interpreting or discussing corridor rights and territorial services issues generally.
8. When did construction begin on the Aiken three-phase line to the Property?
9. Identify the specific type of electric service currently being provided by Aiken to the Property. With respect to the type of electric service, identify the type construction, the pole height and class, number of poles, number of conductors, voltage, direction of feed source, number of customers served and the exact location of each electric meter serving customers.
10. With respect to the electric service identified in response to Interrogatory No. 9, what portion of that service is being provided from electric facilities constructed after January 1, 2005?
11. Identify the electric service, if any, provided by Aiken that existed on July 1, 1969 in the vicinities of Highway 1, Bethel Road, Chinquapin Road, and Farm View Road near the Town of Monetta, S.C.
12. With respect to the electric service identified in response to Interrogatory No. 11, identify the type construction, the pole height and class, number of poles, number of conductors, voltage, direction of feed source, number of customers served and the exact location of each electric meter.

13. Identify the electric service, if any, provided by Aiken that existed on June 17, 2005 in the vicinities of Highway 1, Bethel Road, Chinquapin Road, and Farm View Road near the Town of Monetta, S.C.
14. With respect to the electric service identified in response to Interrogatory No. 13, identify the type construction, the pole height and class, number of poles, number of conductors, voltage, direction of feed source, number of customers served and the exact location of each electric meter.
15. What is the total distance of the Aiken line from Bethel Road to the last pole that serves the Columbia Farms site? How many poles are in place? What is the height and class of each pole? What is the type of electric construction? What is the number of conductors and transformers on the Property? How many meters are on the Property?
16. Identify all persons known by Aiken who have knowledge of relevant facts pertaining to the matters alleged in the Complaint.
17. For each person known to the parties or counsel to be a witness concerning the facts of the case, set forth a summary sufficient to inform SCE&G of the important facts known or to be observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.
18. Identify each individual Aiken may call as a witness in this matter and provide a summary of the facts known to each.
19. List the names and addresses of any expert witnesses whom Aiken proposes to use as a witness at the trial of the case.

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

By: 

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(803) 217-7880

Attorneys for South Carolina Electric & Gas Co.

Columbia, South Carolina
October 3, 2005

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO.: 2005-180-E

South Carolina Electric and Gas Co.))	
)	
Complainant,)	
)	
vs.)	SOUTH CAROLINA ELECTRIC &
)	GAS COMPANY'S FIRST SET OF
)	REQUESTS FOR PRODUCTION TO
Aiken Electric Cooperative, Inc.)	DEFENDANT AIKEN ELECTRIC
)	COOPERATIVE, INC.
Defendant.)	
)	

The Defendant Aiken Electric Cooperative, Inc. ("Aiken") is hereby requested pursuant to R. 103-854 of the South Carolina Public Service Commission's Rules of Practice and Procedure, to produce for inspection and copying by the undersigned counsel for the plaintiff, within thirty (30) days after the service of this request, all records and other things described below, at the offices of Plaintiff's attorneys, 1310 Gadsden Street, Columbia, South Carolina 29201, or at such other place as the parties may agree.

This request shall be deemed to continue from the time of service until the time of trial, so that information and records which come to the knowledge of Defendant Aiken or their attorneys after original responses have been submitted shall be promptly transmitted to the attorneys for the Plaintiff.

DEFINITIONS

The definitions found in the accompanying interrogatories apply here.

INSTRUCTIONS

These document requests seek all responsive documents created or generated by Aiken relating to the subject matter of the Complaint.

If a document once existed and subsequently has been lost, destroyed, or is otherwise missing, you should provide sufficient information to identify the document and state, in writing, the details including whether the document:

- (a) is lost or missing;
- (b) has been destroyed and, if so, by whom and at whose request;
- (c) has been transferred or delivered to another person or entity and at whose request; and/or
- (d) has been otherwise disposed of.

If any document responsive to any of these requests is privileged, and the document or any portion thereof is withheld based on a claim of privilege, please provide a statement of the claim of privilege and all facts relied upon in support.

Documents in electronic format should be produced in hard copy form or on compact disc, as the parties may hereafter agree.

SCE&G asks that the documents be Bates-numbered, if appropriate.

REQUEST FOR PRODUCTION

1. All of Aiken's documents relating to electric equipment and electric service to or for any point since January 1, 2005 in the vicinities of Highway 1, Bethel Road, Chinquapin Road, and Farm View Road near the Town of Monetta, including but not limited to:

- (a) all billing records; and
- (b) all repair and maintenance records; and
- (c) all line and meter removal orders; and

(d) all records of communications with customers.

2. All of Aiken's records relating to the construction, installation, maintenance, and removal of Aiken's electric equipment in SCE&G's assigned territory in the vicinities of Highway 1, Bethel Road, Chinquapin Road, and Farm View Road near the Town of Monetta since July 1, 1969.

3. All documents and other records identified in Defendant Aiken's responses to SCE&G's First Set of Interrogatories.

4. All recorded statements of witnesses identified by Defendant Aiken in response to SCE&G's interrogatories.

5. All documents including, but not limited to, maps, charts, memos, studies, or all other documents regarding or pertaining in any way to efforts, negotiations, and/or consultations of any kind to determine and/or assign territory to Aiken Electric Cooperative or SCE&G from July 1, 1969 to present.

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

By: 

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Attorneys for South Carolina Electric & Gas Co.

Columbia, South Carolina
October 3, 2005

South Carolina Electric and Gas Co.)
)
Complainant,)
)
vs.)
)
Aiken Electric Cooperative, Inc.)
)
Defendant.)
)

I, the undersigned employee of the law offices of Sowell Gray Stepp & Laffitte, L.L.C., attorneys for South Carolina Electric & Gas Company do hereby certify that I have served a copy of the pleading(s) hereinbelow specified via regular mail or hand delivery as indicated to the following address(es):

**SOUTH CAROLINA ELECTRIC & GAS COMPANY'S
FIRST SET OF INTERROGATORIES TO AIKEN
ELECTRIC COOPERATIVE, INC**

**SOUTH CAROLINA ELECTRIC & GAS COMPANY'S
FIRST SET OF REQUEST FOR PRODUCTION TO
DEFENDANT AIKEN ELECTRIC COOPERATIVE, INC.**

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VIA HAND DELIVERY

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October 3, 2005


Amy Wyatt